

**Constitution of
Immanuel Lutheran Church
Brookfield, Wisconsin**

*Approved October 18, 2005, Revised December 3, 2006
South Wisconsin District Board of Directors Approval: February 15, 2007*

Preamble

It is good and pleasing to God that:

- A. Christian congregations conform to His divine Word in doctrine and in practice (Psalm 1; Psalm 119, Galatians 1:6-8; II Timothy 3:14-17 and 4:1-5),
- B. All things be done decently and in order (I Corinthians 14:40).

Therefore we, the members of Immanuel Lutheran Church located in Brookfield, Waukesha County, Wisconsin, accept and subscribe to the following constitution and bylaws, in accordance with which all spiritual and material affairs of the congregation shall be governed.

**Article I
Name**

The name of this congregation shall be Immanuel Lutheran Church of The Lutheran Church—Missouri Synod, Brookfield, Wisconsin.

**Article II
Mission**

The mission of this church is to honor and glorify God as we:

- A. Equip the saints, (Ephesians 4:12-13; Romans 12; 1 Corinthians 12-14)
- B. Reach the lost, and (Matthew 28:19-20)
- C. Praise the Lord. (Matthew 5:16; Colossians 3:17, 23-24)

**Article III
Confession of Faith**

This congregation and all its members accept without reservation the canonical books of the Old and New Testament as the revealed and inspired Word of God and the only rule and norm of faith and practice. It accepts all of the Symbolic Books of the Evangelical Lutheran Church, contained in *The Book of Concord* of the year 1580, to be the true and genuine expositions of the doctrines of the Word of God. These confessional writings are:

- A. The three Ecumenical Creeds: The Apostles', the Nicene, and Athanasian;
- B. The Unaltered Augsburg Confession;
- C. The Apology of the Augsburg Confession;
- D. The Smalcald Articles;
- E. Luther's Small Catechism and Luther's Large Catechism;
- F. The Formula of Concord.

**Article IV
Synodical Affiliation**

This congregation shall be affiliated with The Lutheran Church—Missouri Synod as long as the confessions and constitution of The Lutheran Church—Missouri Synod are in accord with the confessions and constitution of this congregation as laid down in Article III.

**Article V
Membership**

The membership of this congregation includes the Baptized Members, Communicant Members, and Voting Members as defined in the bylaws.

Article VI Organization

A. Voters' Assembly

The Voters' Assembly shall consist of all voting members present at a regular or special meeting of the congregation. The congregation, through the Voters' Assembly, shall have final authority in managing its internal and external affairs.

B. Mission and Ministry Council

The Mission and Ministry Council shall be the governing body of the congregation *servicing as the trustees of the congregation* and is responsible to administer all the congregation's affairs except the following matters for action only by the Voters' Assembly:

1. Call or remove a called worker.
2. Purchase or sell church property or buildings valued over 5% of the annual operating budget.
3. Adopt the Annual Financial Plan.
4. Incur annual non-budget expenses exceeding 5% of the annual budget.
5. Dissolve the congregation.

C. Officers

The officers of this congregation shall be such officers as the bylaws of this constitution prescribe. The officers prescribed in the bylaws shall have no authority beyond that which has been conferred upon them in the constitution or bylaws.

Article VII Property Rights

If, at any time, a separation shall take place within this congregation, the advice of the officers of the denomination shall be sought. If, despite all efforts to resolve differences in peace and love, a division into factions of the congregation shall occur, the property of the congregation and all benefits connected shall remain with the faction selected by The Lutheran Church—Missouri Synod. If the congregation disbands, any remaining assets, after paying all debts, will be transferred to the District of The Lutheran Church—Missouri Synod of which the congregation is a member at the time of disbanding.

Article VIII Decisions

All congregational matters decided by the Voters' Assembly shall be decided by a simple majority of the voting members present at a properly convened meeting of the Voters' Assembly, except as otherwise provided in this constitution and bylaws.

Article IX Amendments

This constitution may be amended by a two-thirds majority of the votes cast in a meeting of the Voters' Assembly. The wording of the amended constitution shall be distributed to all members in the U.S. Mail as far in advance as possible, but no fewer than two Sundays in advance. In addition, the revisions will be distributed to the congregation assembled for worship on two different Sundays prior to the date upon which the amendment is presented for action.

Bylaws of Immanuel Lutheran Church, Brookfield, Wisconsin

Article 1 Baptized Membership

Baptized members are all persons within the congregation who have been baptized in the name of the Triune God, whether children or adults, and come under the pastoral care of this congregation. It is expected of all baptized members that they:

- A. Attend worship services faithfully and regularly;
- B. Lead a Christian life as taught in Galatians 5:19-26;
- C. Out of Christian love, submit to brotherly admonition, according to Matthew 18, when having erred or offended;
- D. Contribute as God has blessed them of their time, talents and treasure toward the maintenance of the congregation and the extension of the church at large;
- E. In due time, take a course of instruction in preparation for communicant membership in this congregation;
- F. Are not members of any organization conflicting with the Word of God; and
- G. Submit willingly and cheerfully to the policies already made or still to be made, provided such policies do not conflict with the Word of God.

Article 2 Communicant Membership

Communicant members are all baptized persons within the congregation who have completed a course of instruction in Christian doctrine that meets with the approval of the Mission and Ministry Council. Communicant members can be received by transfer from another congregation in fellowship with The Lutheran Church—Missouri Synod, reaffirmation of faith, or the rite of confirmation.

Persons seeking to attain communicant membership shall make that fact known to the Senior Pastor or any other delegated pastor. That pastor shall ascertain the understanding and commitment to the purpose and theological commitment contained in Article III of the congregation's constitution. That pastor will determine if additional training is needed and the appropriate method for that training. That pastor is authorized to extend communicant membership to the person and shall announce that in a public service.

In addition to the duties of baptized members, it is expected of all communicant members that they:

- A. Accept all Canonical Books of the Old and New Testament as the only divine rule and standard of faith and life;
- B. Familiarize themselves with the doctrines of The Lutheran Church—Missouri Synod, at least as set forth in the Catechism and declare acceptance of them;
- C. Partake of the Lord's Supper frequently;
- D. Provide for the Christian training of their children by making use of the educational agencies of the congregation;
- E. Not hold membership in any organization in conflict with the Word of God and confessions contained in Article III of the congregation's constitution.

Article 3 Voting Membership

Voting members are all communicant members age 16 or older, who have signed the constitution, and who attend a Voters' meeting. When a legal, contractual matter is before the Voters' Assembly (such as the buying and selling of property), only voting members of legal majority age in the state of Wisconsin may vote.

Article 4 Termination of Membership

- A. Communicant members may be transferred to a sister congregation upon their request, by approval of the Senior Pastor or the Mission and Ministry Council.
- B. Communicant members who join congregations outside our fellowship thereby terminate their membership. Their names shall be removed from the membership.
- C. Communicant members whose whereabouts are unknown and whose addresses cannot be established shall be removed from membership.

- D. Communicant members who conduct themselves in a non-Christian manner shall be admonished according to Matthew 18:15-20: if they remain impenitent, they may be excommunicated using procedures approved by the Mission and Ministry Council.
- E. Communicant members who absent themselves from active participation in the congregation (as defined in Bylaws Article 2, A, B, C, D, E), and who, after being contacted, indicate a desire not to return to active participation, thereby terminate their membership. Their names shall be removed from membership.

**Article 5
Voters' Assembly**

- A. The Voters' Assembly shall meet at least once a year. The day and hour of the annual meeting shall be set by the Mission and Ministry Council and publicized at least one month in advance. The notification shall contain an agenda of items to be considered as well as the slate of nominees for election.
- B. The Voters' Assembly may meet at other times of the year subject to a call by the Mission and Ministry Council, Senior Pastor, congregation president, or at the request of any 50 voting members of the congregation. Notice of any such special meeting shall be publicized as far in advance as possible but no less than two weeks in advance. The notice shall contain an agenda of items to be considered.
- C. No action can be taken at any voters meeting on items not listed on the agenda distributed with the notification of the meeting. The President, Vice President, or their designated Mission and Ministry Council member shall preside at all Voters' Assembly meetings.
- D. A quorum is all voting members present at a meeting of the Voters' Assembly.

**Article 6
Called Workers**

- A. Called Workers
 - 1. Calls will only be issued to such candidates who are approved by The Lutheran Church—Missouri Synod.
 - 2. After authorization is received from the Voters' Assembly, the Mission and Ministry Council shall appoint a Call Committee. No more than one-third of the Call Committee members may be members of the Mission and Ministry Council.
 - 3. The Call Committee shall consult with those in the affected ministry area and with the South Wisconsin District, or successor district, of The Lutheran Church—Missouri Synod as part of their efforts to secure the names of candidates in addition to suggestions by members of the congregation.
 - 4. The Call Committee will present a final list of candidates to the Voters' Assembly for issuance of the Call with two week prior notification to the congregation.
- B. Removal from Office of Called Workers
The Voters' Assembly may remove any Called Worker from office by a two-thirds majority written ballot vote for reasons of persistent adherence to false doctrine, scandalous life, willful neglect of duties, or inability to perform the duties of the office.

**Article 7
Officers**

- A. Elected Officers – The following officers are elected by the Voters' Assembly:
 - 1. President:
 - a. Preside at all meetings of the Voters' Assembly and the Mission and Ministry Council.
 - b. Enforce the constitution and bylaws.
 - c. Perform the general duties as are common for the office, including such additional duties as may be directed by the Voters' Assembly from time to time.
 - 2. Vice President:
 - a. Perform all of the duties of the President in the latter's absence and such other additional duties which may be directed by the Voters' Assembly or by the President from time to time.
 - b. Chair and appoint a Nominating Committee under the leadership of the Mission and Ministry Council.

- B. Appointed Officers – The following officers are appointed by the Mission and Ministry Council:
1. Secretary:
 - a. The duties shall be those commonly required of the office, especially the keeping and preserving of accurate records of all Voters' Assembly meetings, and handling such correspondence as the congregation may require.
 - b. Keep and make available minutes of all Mission and Ministry Council meetings.
 2. Treasurer:
 - a. Keep and preserve the accurate records of all receipts and disbursements, and submit a written report of them at all regular meetings of the Voters' Assembly.
 - b. Assure accuracy and propriety of all financial transactions of the congregation.
 - c. Pay all regular and fixed expenses.

C. Term of Office

Each officer shall serve for a term of three years and shall serve no more than two full successive terms in that position without a break of at least one year. The term of office for elected officers commences on January 1st following the election. The term of office for appointed officers commences immediately after appointment.

**Article 8
Mission and Ministry Council**

A. Membership

The Mission and Ministry Council shall consist of seven voting members, elected at large by the Voters' Assembly, plus the congregation's elected officers listed in Article 7. The Senior Pastor, Secretary and Treasurer are non-voting members.

B. Term of Office

The term of office shall be three years, with approximately one-third of the Mission and Ministry Council being elected each year. Council members shall serve no more than two full successive terms in that position without a break of at least one year. The term of office commences on January 1st following the election.

C. Meetings

The Mission and Ministry Council shall meet as needed and may be called at the request of the President or any three Mission and Ministry Council members. Two-thirds of the council shall be present to constitute a quorum for any meeting. Notice and minutes of each meeting shall be posted in the building and on the web site. The minutes shall fully disclose all actions taken and be signed by the President and Secretary. Minutes of the meetings shall be available to voting members upon request.

**Article 9
Powers of the Mission and Ministry Council**

The Mission and Ministry Council shall have the power to develop policies as required to execute the goals approved by the Voters' Assembly. Written policies shall be available upon request. The Council shall have no authority beyond that which has been conferred upon them by the constitution, its bylaws, or by the Voters' Assembly.

**Article 10
Duties of the Mission and Ministry Council**

- A. The Mission and Ministry Council, as the chief governing Council of the congregation, shall act in all matters pertaining to the legal and general welfare of the congregation, except those reserved for the Voters' Assembly in Article VI.B of the constitution.
- B. The Mission and Ministry Council shall see to it that all activities of the church reflect the purpose and faith of the congregation.
- C. It shall concern itself with establishing all policies governing the activities of the congregation and with the implementation of the mission, vision, budget, and plans adopted by the Voters' Assembly.
- D. The Mission and Ministry Council may appoint any entity needed. It shall oversee and have authority over all other boards, committees, task forces, action teams, or other entities of the congregation.

- E. The Mission and Ministry Council's responsibility is generally confined to establishing topmost policies, leaving implementation and subsidiary policy development to the Senior Pastor. All board authority delegated to staff is delegated through the Senior Pastor. The Senior Pastor is to provide regular reports to the Mission and Ministry Council on the status of all operations. As authorized by the Mission and Ministry Council, the Ministry Staff shall conduct the day-to-day business of the congregation.
- F. The Mission and Ministry Council shall appoint a committee of three men to supervise the pastor(s) in matters of spiritual authority, spiritual discipline, and the public exercise of the Word and Sacraments. Male members of the Mission and Ministry Council are eligible to serve on this committee.

Article 11
Election, Removal from Office, and Vacancies

- A. Nomination
 - 1. The Vice President of the Mission and Ministry Council shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates for officers and Mission and Ministry Council members to be elected each year. The committee shall contain a majority who are not Mission and Ministry Council members, shall function for one year only, and shall report their nominations to the election meeting of the Voters' Assembly. The Senior Pastor shall be a non-voting member of the Nominating Committee.
 - 2. All nominees shall be voting members, age 18 or older, noted for their Christian knowledge, zeal, and experience in the spiritual work in the Kingdom. Specific criteria for elected officials shall be outlined by the Nominating Committee prior to accepting any nominations. In addition to the Nominating Committee's slate of candidates, any voting member may nominate candidates. A call for nominations will be distributed to the congregation no fewer than two months prior to the election meeting. The list of nominations will be closed at the time that the meeting agenda and slate of candidates is distributed.
 - 3. Those elected by the voters may not receive compensation from the congregation and may not lead any group that reports directly to the Mission and Ministry Council, except a Call Committee or the Nominations Committee.
- B. Election

Nominees who receive a majority of the ballots cast at the Voters' Assembly shall be elected.
- C. Removal from Office of Elected Officials

Any elected official who is unable or is willfully neglectful in the performance of his official duties may be removed from office by two-thirds secret ballot vote of the Voters' Assembly. Such action shall be initiated by the Mission and Ministry Council or by the Voters' Assembly at a properly called meeting.
- D. Vacancy

The Mission and Ministry Council shall be authorized to appoint an eligible person to fill an unexpired term of an officer.

Article 12
Amendments

The bylaws may be amended by a two-thirds majority of the votes cast in a meeting of the Voters' Assembly. The wording of the amended bylaws shall be distributed to all members in the U.S. Mail as far in advance as possible, but no fewer than two Sundays in advance. In addition, the revisions will be distributed to the congregation assembled for worship on two different Sundays prior to the date upon which the amendment is presented for action.

Article 13
Rules of Order

Robert's Rules of Order shall be observed insofar as they may be applicable and not inconsistent with this Constitution and Bylaws, latest edition.